\* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 ft., in lieu of the required 10 ft., and a front yard setback of 9 ft., in lieu of the required 30 ft., for an attached garage, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

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compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore , 1992 that the Petition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 ft., in lieu of the required 10 ft., and a front yard setback of 9 ft., in lieu of the required 30 ft., for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

> > Zoning Commissioner for Baltimore County

> > > MICROFILMEL

Himore County Government Zoning Commissioner Office of Conning and Zoning Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-4386 June 25, 1992 Mr. and Mrs. Keith M. Lambert 1604 Watford Court Lutherville, Maryland 21093 RE: Petition for Residential Zoning Variance Case No. 92-468-A Dear Mr. and Mrs. Lambert: Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order. In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391. Very truly yours, Lawrence E. Schmidt Zoning Commissioner LES:nwn encl.

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## **AFFIDAVIT** IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follow That the information herein given is within the personal knowledge of the Afficat(s) and that Afficat(s) is/are competent to testify thereto in the event that a public bearing is acheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 1604 WATFORD COURT

WTHERVILLE MD 21093

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

AS YOU CAN SEE BY THE PICTURES, MY DRIVEWAY IS ON THE SHORT SIDE OF THE HOUSE AND IS THE ONLY PRACTICAL PLACE FOR A GARAGE

I HEREBY CERTIFY, this 26 day of may . 19 94\_, before me, a Notary Public of the State

Lambert + Patricia Lambert

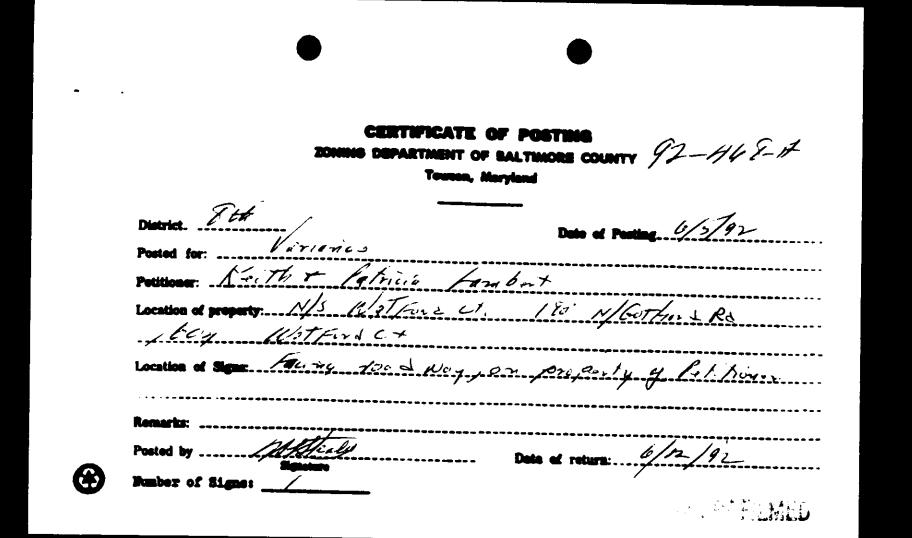
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Also common 1604 wattend Court containing, 46 acres in the 8th Electric District

Beginning on the north side of Warterd ....

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### 5/27/92 H9200496  ###################################		Baltimore County Zoning Commisioner County Office Building 111 West Chesepooks Avenue Towsen, Maryland 21204					
PUBLIC HEARING FEES OTY PRICE  OLO ZONING VARIANCE (IRL)   X \$50.00  OBO -POSTING SIGNS / ADVERTISING 1 X \$35.00  LAST NAME OF OWNER: LAMBER! TOTAL: \$85.00  OHAD4NO094NICHRC	488-4 B	5/27/ <b>92</b>			HS	Account 1 15 Number 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
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	hler Valldation	LAST NAME OF OWNER: LAMBER!	T()T	044	104 HOO94MIC!	RC -27-92	\$85.00

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1/36/2.5/3/3/(205.2+205.5/R.10)

TO PERMITUSIDE YARD SETBACK OF 6'O" IN LIEU OF THE REWIRED 10'-0" and a Frist yard Subject of 9'.0" in

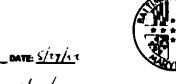
of the Zoning Regulations of Baltimore County for the following reasons: (indexe burdship or prunisal difficulty) AS YOU CAN SEE BY THE PICTURES, MY DRIVEWAY IS ON THE SHORT SIDE OF THE HOUSE AND IS THE ONLY PRACTICAL PLACE FOR A GARAGE

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject Contract Purchaser: KEITH M. LAMBERT PATRICIA NI LAMBER State Zip Code WHERVILLE MID 21093 Name, address and phone number of corner, sombast purchaser or alox.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this \_\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

June 9, 1992

Mr. & Mrs. Keith M. Lambert 1604 Watford Court Lutherville, MD 21093

> RE: Item No. 496, Case No. 92-468-A Petitioner: Keith M. Lambert, et ux Petition for Administrative Variance

(410) 887-3353

Dear Mr. Lambert:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

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Baltimore County Government
Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 27th day of May, 1992

Petitioner: Keith M. Lambert, et ux

Petitioner's Attorney:

MICROFILMED

06/15/92 Zoning Issue Meeting Date Stonegate at Patapsco (Azreal Property) 90476 ZON DED TE (Waiting for developer to submit plans first) COUNT : Keith M. And Patricia M. Lambert Samuel Frank And David Granat DED DEPRM RP STF TE Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning DED DEPRM RP STP TE DED DEPRM RP STP TE Aneita R. And James S. Henry Douglas R. Small DED DEPRM RP STP TE Lyle L. Boltinghouse Glenn A. And Patricia A. Sudano Howard W. Dawson. Sr. DED DEFRM RF STF TE 

6224 6000-92 Baltimore County Government

Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

JUNE 3, 1992

(410) 887-4500

COUNT 8

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: KEITH M. LAMBERT AND PATRICIA M. LAMBERT

#1604 WATFORD COURT Location:

Item No.: \*496 (MJK) Zoning Agenda: JUNE 8, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Fire Prevention Bureau Special Inspection Division

JP/KEK

ZONING OFFICE

MICROFILMED

Department of <b>Recreation and Parks</b> Development Review Committee Respon Authorized signature	(selfelle Ku	- Date 6/15/97
Project Name File Number Waiver Number	Zoning Issue	Meeting Date
Keith M. And Patricia M. Lamber	496 Î	6-2-92
COUNT 1		
Samuel Frank And David Granat DED DEPRM RP STP TE	494	6-8-92
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/ William J. And Elizabeth G. Wa	chter	
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/ Howard W. Dawson. Sr.		
DED DEPRM RP STF TE	2004 2000 2000	
COUNT 8		
FINAL TOTALS COUNT 9	MI	CROFILMEL
*** END OF REPORT ***		

**Baltimore County Government** Office of Zoning Administration and Development Management Office of Planning & Zoning

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue

Towson, MD 21204

Ervin McDaniel, Chief

June 10, 1992

following petitions:

James & Anita Henry

Llyle Bottinghouse

Howard Dawson

Keith & Patricia Lambert

Glenn & Patricia Sudano

William & Elizabeth Wachter - Item 497

Development Review Section

Office of Planning and Zoning

Arnold Jablon, Director - Zoning Administration & Development

PETITIONS FROM ZONING ADVISORY COMMITTEE - June 8, 1992

The Office of Planning and Zoning has no comments on the

- Item 498

- Item 500

- Item 501

- Item 503

If there should be any further questions or if this office can

provide additional information, please contact Francis Morsey

in the Office of Planning and Zoning at 887-3211.

111 West Chesapeake Avenue

Towson, MD 21204

6\_8\_92.txt

Petitns.txt

June 8, 1992

(410) 887-3353

Keith and Patricia Lambert 1604 Watford Court Lutherville, Maryland 21093

Re: CASE NUMBER: 92-468-A LOCATION: N/S Wetford Court, 180' N of c/l Gothard Road 1604 Watford Court 8th Election District - 4th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

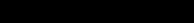
1) Your property will be posted on or before June 14, 1992. The closing date is June 22, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) great the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public bearing (whether don to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are psychla by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

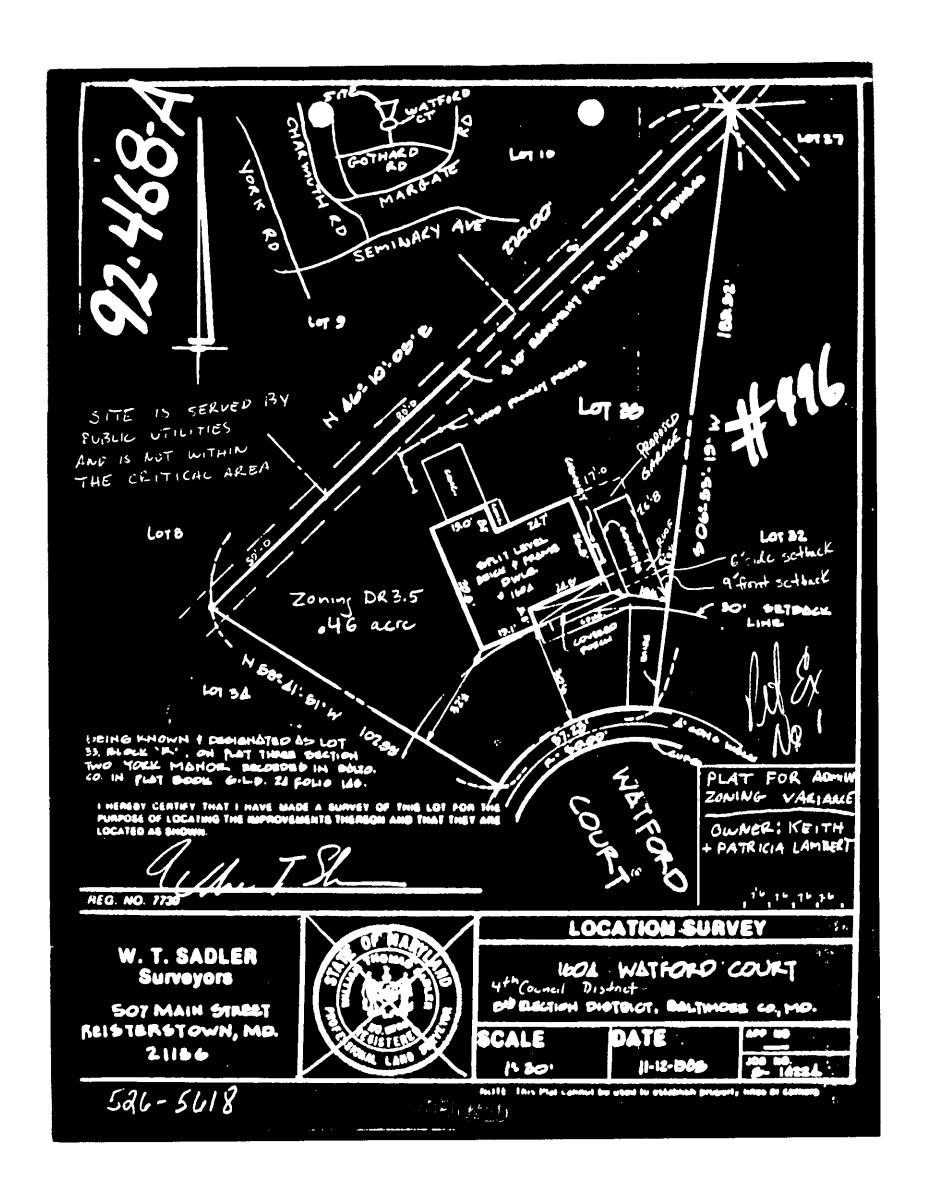
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

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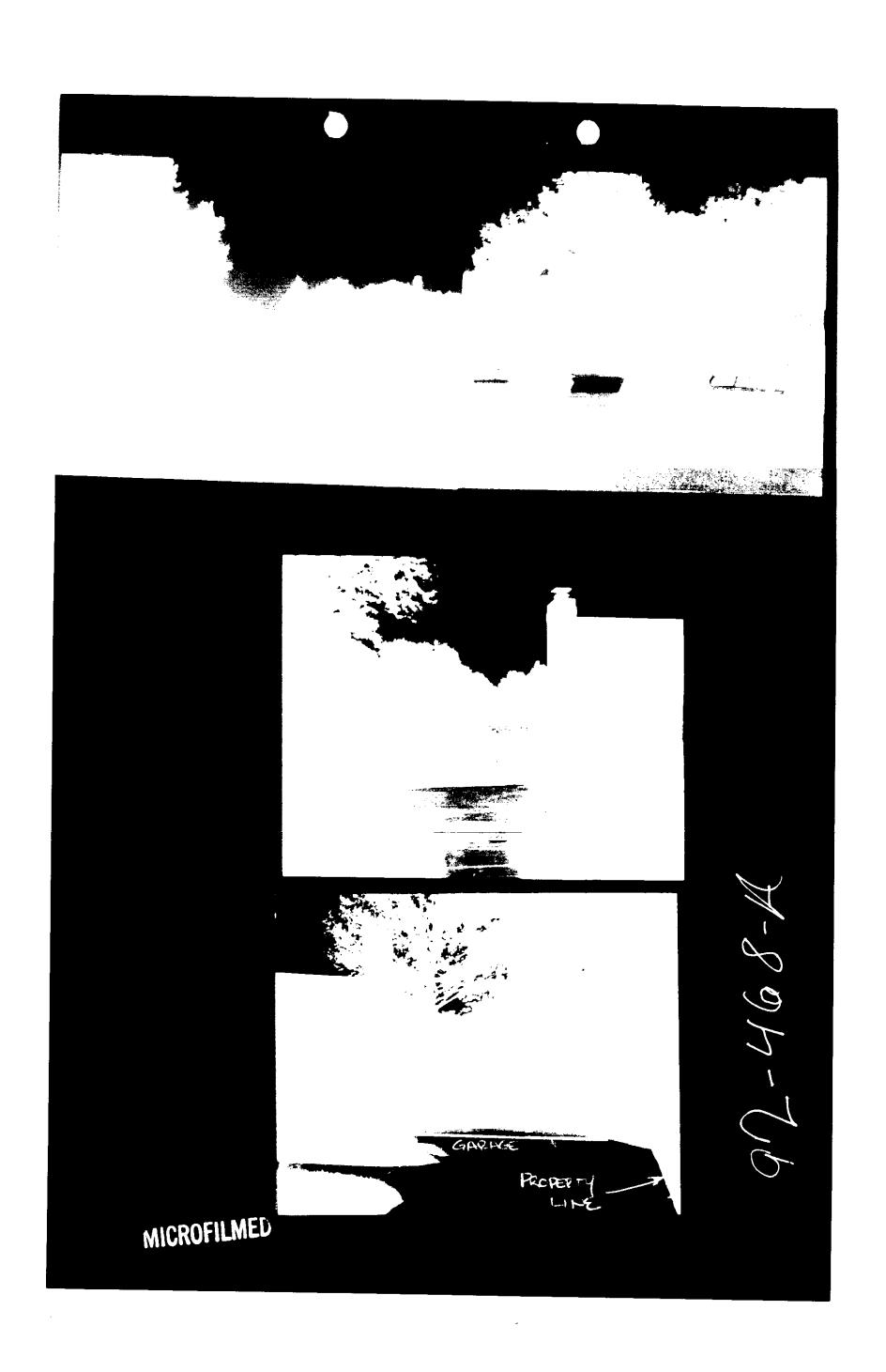


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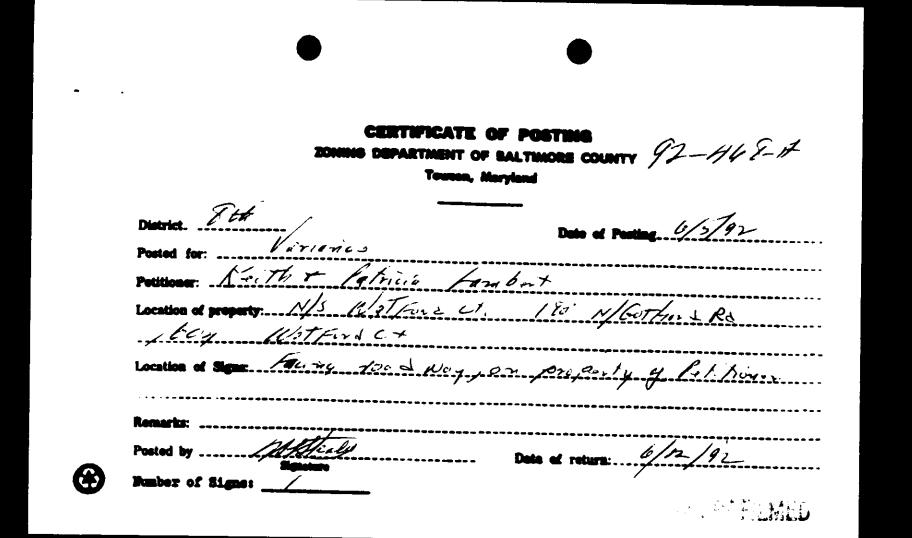
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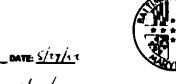
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MICROFILMED

06/15/92 Zoning Issue Meeting Date Stonegate at Patapsco (Azreal Property) 90476 ZON DED TE (Waiting for developer to submit plans first) COUNT : Keith M. And Patricia M. Lambert Samuel Frank And David Granat DED DEPRM RP STF TE Lot 2 Errol Ecker / Lot 2a William And Ruth Fanning DED DEPRM RP STP TE DED DEPRM RP STP TE Aneita R. And James S. Henry Douglas R. Small DED DEPRM RP STP TE Lyle L. Boltinghouse Glenn A. And Patricia A. Sudano Howard W. Dawson. Sr. DED DEFRM RF STF TE 

6224 6000-92 Baltimore County Government

Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

JUNE 3, 1992

(410) 887-4500

COUNT 8

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: KEITH M. LAMBERT AND PATRICIA M. LAMBERT

#1604 WATFORD COURT Location:

Item No.: \*496 (MJK) Zoning Agenda: JUNE 8, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Fire Prevention Bureau Special Inspection Division

JP/KEK

ZONING OFFICE

MICROFILMED

Department of <b>Recreation and Parks</b> Development Review Committee Respon Authorized signature	(selfelle Ku	- Date 6/15/97
Project Name File Number Waiver Number	Zoning Issue	Meeting Date
Keith M. And Patricia M. Lamber	496 Î	6-2-92
COUNT 1		
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/ Howard W. Dawson. Sr.		
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COUNT 8		
FINAL TOTALS COUNT 9	MI	CROFILMEL
*** END OF REPORT ***		

**Baltimore County Government** Office of Zoning Administration and Development Management Office of Planning & Zoning

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue

Towson, MD 21204

Ervin McDaniel, Chief

June 10, 1992

following petitions:

James & Anita Henry

Llyle Bottinghouse

Howard Dawson

Keith & Patricia Lambert

Glenn & Patricia Sudano

William & Elizabeth Wachter - Item 497

Development Review Section

Office of Planning and Zoning

Arnold Jablon, Director - Zoning Administration & Development

PETITIONS FROM ZONING ADVISORY COMMITTEE - June 8, 1992

The Office of Planning and Zoning has no comments on the

- Item 498

- Item 500

- Item 501

- Item 503

If there should be any further questions or if this office can

provide additional information, please contact Francis Morsey

in the Office of Planning and Zoning at 887-3211.

111 West Chesapeake Avenue

Towson, MD 21204

6\_8\_92.txt

Petitns.txt

June 8, 1992

(410) 887-3353

Keith and Patricia Lambert 1604 Watford Court Lutherville, Maryland 21093

Re: CASE NUMBER: 92-468-A LOCATION: N/S Wetford Court, 180' N of c/l Gothard Road 1604 Watford Court 8th Election District - 4th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

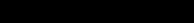
1) Your property will be posted on or before June 14, 1992. The closing date is June 22, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) great the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public bearing (whether don to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are psychla by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

MICROFILMED



DED DEPRM RP STP TE

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